

Ingredients Vitamin B₁ Vitamin B₂ From Dried Whole Yeast Powder Desiccated Whole Pancreas Substance Sodium Bicarbonate."

Examination of the article showed the presence of sodium bicarbonate, dried yeast, and unidentified animal tissues. These findings indicated that the product was essentially of the composition declared on its label. Additional examination of the article showed that it contained the declared vitamin content.

The article was alleged to be misbranded in that the statements appearing in its labeling which represented and suggested that, when taken as directed, it would be of value in the treatment of faulty carbohydrate metabolism, anorexia, obesity, polyneuritis, and diabetes (a particular form of faulty carbohydrate metabolism); and that the use of the article would result in improved intellectual and physical vigor, increased body weight, and good health, were false and misleading since the article, when taken as directed, would not be of such value, and its use would not accomplish the results suggested and implied.

On November 22, 1943, the American Ferment Co. having filed a claim and answer denying the allegation of misbranding, but later having withdrawn the claim and answer and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

1080. Misbranding of Vitality Vitamins. U. S. v. 41 Cartons of Vitality Vitamins. Default decree of condemnation and destruction. (F. D. C. No. 9408. Sample No. 13263-F.)

On March 13, 1943, the United States attorney for Western District of Washington filed a libel against 41 cartons, each containing 20 boxes of 7 capsules each, of Vitality Vitamins at Seattle, Wash., alleging that the article had been shipped on or about December 31, 1942, from Chicago, Ill., by the Belmont Laboratories; and charging that it was misbranded. The article was labeled in part: "Vitality Vitamins Contain Vitamins A . B₁ . D . G(B₂)."

The article was alleged to be misbranded in that certain statements on the cartons and individual boxes and in a circular entitled "Know Your Vitamins," inserted in each carton, were false and misleading since they represented and suggested that the article was efficacious in the correction or prevention of lowered resistance, coughs, colds, retarded growth, loss of weight, eye diseases, intestinal disorders, nervousness, constipation, slow heart rate, loss of appetite, reduced well-being, dental decay, poor tooth development, rickets, and soft bones, whereas the article was not so efficacious; and the said statements compared the vitamin content of the article with that of eggs, milk, and bananas; and, when read in connection with the statements in the labeling with respect to the loss of vitamins from ordinary foods in the usual manner of preparation, they created the impression that it is not practicable to obtain an adequate amount of vitamins through the consumption of ordinary food as usually prepared, whereas adequate amounts of vitamins can be obtained through the consumption of ordinary food as usually prepared.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

On September 16, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1081. Misbranding of Allen's Nijara Capsules. U. S. v. 16 Dozen Packages and 71 Boxes of Allen's Nijara Capsules. Decrees of condemnation and destruction. (F. D. C. Nos. 9707, 9739. Sample Nos. 37143-F, 37149-F.)

This product consisted of dried green stem and leaf material, including in one lot such material as parsley and watercress, and in the other a considerable proportion of tissues resembling parsley. Examination of a sample showed that it contained not more than 5 U. S. P. units of thiamine (about $\frac{1}{60}$ the minimum daily requirement of thiamine), and but an inconsequential amount, if any, of ascorbic acid, riboflavin, nicotinic acid, and vitamin D.

On March 25 and April 2, 1943, the United States attorney for the District of Columbia filed libels against 16 dozen packages and 71 boxes of Allen's Nijara Capsules at Washington, D. C., alleging that the article, which had been consigned by the Allen Products Co., Inc., Washington, D. C., on or about February 24 and March 23, 1943, was in interstate commerce; and charging that it was misbranded. It was labeled in part: (Packages and boxes) "Twenty (20) Capsules Allen's Nijara Composed of the following ingredients only: Asparagus, Parsley, Watercress, Broccoli. For Adults: Suggested Daily Dosage: Five (5) capsules daily."

The article was alleged to be misbranded in that the statements in the leaflet entitled "Allen's Nijara," attached to the packages and boxes containing the article, were false and misleading because they represented and suggested that the article was effective to soothe pain, provide relief from rheumatism, arthritis, neuritis, sciatica, gout, lumbago, and sinusitis; that it would supply a mineral deficiency in the diet and provide pain relief from rheumatic disorders; that the article was effective more quickly in the treatment of mild cases of the symptoms and the diseases mentioned than in cases of long standing; and that, when taken in accordance with the directions, it would supply the body with its needs for such important minerals as calcium and phosphorus, and with such important vitamins as thiamine, riboflavin, ascorbic acid, nicotinic acid, and vitamin D. The article was not so effective and would not supply the body with its needs for the minerals and vitamins mentioned.

It was alleged to be misbranded further in that the statement "only fresh vegetables are used in compounding Allen's Nijara," appearing in its labeling, was false and misleading since the article was compounded of dried vegetables, not fresh vegetables, and did not provide the vitamins that some vegetables provide in their fresh state.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 5795.

On May 12, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1082. Misbranding of Wiel Garlic Tablets. U. S. v. 6 Dozen Tins and 69 Bottles of Wiel Garlic Tablets. Default decree of condemnation and destruction. (F. D. C. No. 9903. Sample No. 42111-F.)

On May 8, 1943, the United States attorney for the Northern District of Ohio filed a libel against 6 dozen tins, containing 24 tablets each, and 69 bottles, containing 120 tablets each, of Wiel Garlic Tablets at Toledo, Ohio, alleging that the article had been shipped in interstate commerce on or about January 23, 1943, by the Wiel Laboratories, from Medford Station, Long Island, N. Y.; and charging that it was misbranded.

Examination showed that the article consisted essentially of tablets containing garlic, peppermint, sugar, starch, and calcium carbonate.

The article was alleged to be misbranded in that the statements in its labeling which represented and suggested that the article would effect better health, stimulate digestion, and reduce high blood pressure when taken continuously at prescribed intervals were false and misleading since the article would not accomplish the results claimed.

On June 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1083. Misbranding of okra tablets and spinach tablets. U. S. v. Harry Clayton House (Western Natural Foods Co.). Plea of guilty. Fine, \$150 and costs. (F. D. C. No. 9653. Sample Nos. 30612-F, 30613-F.)

On July 30, 1943, the United States attorney for the Western District of Washington filed an information against Harry Clayton House, trading as the Western Natural Foods Co., Seattle, Wash., alleging shipment on or about September 3 and October 17, 1942, from the State of Washington into the State of Idaho of quantities of the above-named products.

Analysis of the okra tablets showed that they consisted of dried or powdered okra. The article was alleged to be misbranded because of false and misleading statements in the labeling which represented and suggested that it would be efficacious in the treatment of stomach and intestinal ulcers, and would provide a mucinous coating for the protection of irritated mucous membranes of the stomach and intestines.

Analysis of the spinach tablets showed that they consisted essentially of dried or powdered spinach. The article was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that the article would be efficacious in the cure, mitigation, treatment, or prevention of blood disorders and anemia.

The spinach tablets were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On August 30, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$100 on count 1 and \$50 and costs on count 2.